

CASREF,PAW

**U.S. District Court
Southern District of Florida (West Palm Beach)
CIVIL DOCKET FOR CASE #: 9:12-cv-81413-WPD**

Cummnings v. New England Compounding Center et al
Assigned to: Judge William P. Dimitrouleas
Referred to: Magistrate Judge Patrick A. White
Cause: 42:1983 State Prisoner Civil Rights

Date Filed: 12/26/2012
Jury Demand: Defendant
Nature of Suit: 550 Prisoner: Civil Rights
Jurisdiction: Federal Question

Plaintiff**Darrel Cummings**

represented by **Darrel Cummings**
088532
South Bay Correctional Facility
Inmate Mail/Parcels
600 U.S. Highway 27 South
South Bay, FL 33493
PRO SE

V.

Defendant

New England Compounding Center
Barry Caden, CEO

Defendant

Warden Tom Levins
GEO Group Inc.
TERMINATED: 12/03/2013

Defendant

Ms. N. Finnisse
MSM, HSA

represented by **Gregory A. Kummerlen**
Wiederhold, Moses, Kummerlen &
Waronicki, P.A.
560 Village Boulevard, Suite 240
PO Box 3918
West Palm Beach, FL 33402
561-615-6775
Fax: 615-7225
Email: gkummerlen@wmrfla.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

J. Dauphin, D.O.

represented by **Gregory A. Kummerlen**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED



Defendant**Dr. Jules Heller, M.D.***Medical Director*













represented by **Gregory A. Kummerlen**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED












Defendant**Dr. Robert Lins, M.D.***Orthopedic Specialist**TERMINATED: 12/03/2013***Defendant****Officer McIntire***COI*












represented by **Gregory A. Kummerlen**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED










Defendant**Dr. L. King***D.O., GEO Group Inc.*











Date Filed	#	clear	Docket Text
12/26/2012	1	 6.82MB	Civil Rights COMPLAINT Form For Use In Actions Under 42 U.S.C. 1983 against Dr. J. Duaphin, D.O., N. Finnisse, Dr. Jules Heller, M.D., Tom Levins, Dr. Robert Lins, M.D., McIntire, New England Compounding Center. Filing fee \$ 350.00 No fee/No IFP, filed by Darrel Cummnings. (Attachments: # 1 Exhibits A-L)(yar) (Entered: 12/27/2012)
12/26/2012	2		Judge Assignment to Judge William P. Dimitrouleas (yar) (Entered: 12/27/2012)
12/26/2012	3		Clerks Notice of Magistrate Judge Assignment to Magistrate Judge Patrick A. White. Pursuant to Administrative Order 2003-19 for a ruling on all pre-trial, non-dispositive matters and for a Report and Recommendation on any dispositive matters. (yar) (Entered: 12/27/2012)
12/28/2012	4	 85.34KB	ORDER REQUIRING PAYMENT OF FILING FEE OR FILING OF MOTION TO PROCEED IFP WITH DETAILED AFFIDAVIT. Filing Fee due by 1/24/2013. Motions due by 1/24/2012. Signed by Magistrate Judge Patrick A. White on 12/28/2012. (Attachments: # 1 Affidavit IFP) (tw) (Entered: 12/28/2012)











12/28/2012	<u>5</u>	 13.92KB	ORDER OF INSTRUCTIONS TO PRO SE LITIGANT. Signed by Magistrate Judge Patrick A. White on 12/28/2012. (tw) (Entered: 12/28/2012)
12/28/2012	<u>6</u>	 16.51KB	NOTICE of Stay by Reason of Bankruptcy by New England Compounding Center (Bavol, Charles) Modified text on 12/31/2012 (yha). (Entered: 12/28/2012)
01/11/2013	<u>7</u>	 277.98KB	MOTION for Leave to Proceed in forma pauperis by Darrel Cummings. (tpl) (Entered: 01/11/2013)
01/16/2013	<u>8</u>	 198.52KB	MOTION for Leave to Proceed in forma pauperis by Darrel Cummings. (cbr) (Entered: 01/17/2013)
02/05/2013	<u>9</u>	 10.62KB	ORDER PERMITTING PLAINTIFF TO PROCEED WITHOUT PREPAYMENT OF FILING FEE BUT ESTABLISHING DEBT TO CLERK OF \$350.00 and Granting <u>7</u> Motion for Leave to Proceed in forma pauperis; granting <u>8</u> Motion for Leave to Proceed in forma pauperis. Signed by Magistrate Judge Patrick A. White on 2/5/2013. (tw) (Entered: 02/05/2013)
02/15/2013	<u>10</u>	 10.40KB	ORDER RE SERVICE OF PROCESS REQUIRING PERSONAL SERVICE UPON AN INDIVIDUAL. The United States Marshal shall serve a copy of the complaint and appropriate summons upon:Dr. J. Dauphin, Physician, South Bay Correctional Facility,600 U.S. Highway 27, South Bay, FL 33493 and Dr. Jules HellerMedical DirectorSouth Bay Correctional Facility, 600 U.S. Highway 27South Bay, FL 33493. Signed by Magistrate Judge Patrick A. White on 2/15/2013. (tw) (Entered: 02/15/2013)
02/15/2013	<u>11</u>	 33.81KB	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>1</u> Complaint, filed by Darrel Cummings. Recommending 1. Claims for denial of adequate medical treatment continue against Drs. Dauphin and Heller, and against Dr. Heller for retaliation. 2. Claims against Warden Levins, Finnisse, Dr. Lins and Officer McIntire, and the CEO of New England Compounding Center be dismissed pursuant to 28 U.S.C. §1915(e)(2)(B)(ii)for failure to state a claim upon which relief may be granted. Objections to R&R due by 3/4/2013 Signed by Magistrate Judge Patrick A. White on 2/15/2013. (tw) (Entered: 02/15/2013)
02/21/2013	<u>12</u>	 75.60KB	Summons Issued as to J. Duaphin, D.O.. (br) (Entered: 02/21/2013)
02/21/2013	<u>13</u>	 76.68KB	Summons Issued as to Jules Heller, M.D.. (br) (Entered: 02/21/2013)
03/01/2013	<u>14</u>	 0.73MB	OBJECTIONS to <u>11</u> Report and Recommendations by Darrel Cummings. (cbr) (Entered: 03/01/2013)
03/01/2013	<u>15</u>	 0.62MB	SUPPLEMENTAL Attachments to <u>14</u> Objections to Report and Recommendations by Darrel Cummings (cbr) (Entered: 03/01/2013)
03/06/2013	<u>16</u>	 65.10KB	MOTION to Correct Clerical Error re <u>14</u> Objections to Report and Recommendations by Darrel Cummings. Responses due by 3/25/2013 (cbr) (Entered: 03/06/2013)













03/11/2013	<u>17</u>	 0.52MB	MOTION for Preliminary Injunction by Darrel Cummings. (cbr) (Entered: 03/12/2013)
03/13/2013	<u>18</u>	 170.17KB	ORDER ADOPTING IN PART REPORT AND RECOMMENDATIONS and SUSTAINING IN PART OBJECTIONS; re <u>11</u> Report and Recommendations ; Granting <u>16</u> Motion to Amend/Correct clerical errors. ORDER REFERRING this matter to Judge Patrick A. White for further proceedings as appropriate, including the Pending Request for an injunction : <u>17</u> MOTION for Preliminary Injunction filed by Darrel Cummings. Signed by Judge William P. Dimitrouleas on 3/12/2013. (gp) (Entered: 03/13/2013)
03/15/2013	<u>19</u>	 10.30KB	ORDER that the United States Marshal shall serve a copy of the complaint and appropriate summons upon:Ms. N. Finnisse, MSM, Health Service Administrator, South Bay Correctional Facility, 600 U.S. Highway 27 South, South Bay, FL 33493. Signed by Magistrate Judge Patrick A. White on 3/15/2013. (tw) (Entered: 03/15/2013)
03/18/2013	<u>20</u>	 77.04KB	Summons Issued as to N. Finnisse. (br) (Entered: 03/18/2013)
03/25/2013	<u>21</u>	 1.93MB	AMENDED COMPLAINT against All Defendants, filed by Darrel Cummings.(cbr) (Entered: 03/26/2013)
04/01/2013	<u>22</u>	 1.24MB	MOTION for Preliminary Injunction and Restraining Order (Responses due by 4/18/2013) by Darrel Cummings. (cbr) (Entered: 04/02/2013)
04/01/2013	<u>23</u>	 87.84KB	Summons (Affidavit) Returned Unexecuted as to J. Duaphin, D.O.. (cbr) (Entered: 04/02/2013)
04/01/2013	<u>24</u>	 88.37KB	SUMMONS (Affidavit) Returned Executed on <u>1</u> Complaint, with a 21 day response/answer filing deadline Jules Heller, M.D. served on 3/21/2013, answer due 4/11/2013. (cbr) (Entered: 04/02/2013)
04/05/2013	<u>25</u>	 19.74KB	SUPPLEMENTAL REPORT AND RECOMMENDATIONS on 42 USC 1983 case re <u>21</u> Amended Complaint filed by Darrel Cummings. Recommending 1. It is therefore recommended that the amended complaint shall be admitted solely as to permit the claim of denial of adequate medical care to continue against Officer McIntire. (DE#21)2. She will be served by separate order. Objections to R&R due by 4/22/2013 Signed by Magistrate Judge Patrick A. White on 4/5/2013. (tw) (Entered: 04/05/2013)
04/05/2013	<u>26</u>	 18.42KB	REPORT AND RECOMMENDATIONS. Dismissing without prejudice as premature <u>17</u> MOTION for Preliminary Injunction filed by Darrel Cummings and denying <u>22</u> MOTION for Preliminary Injunction MOTION for Temporary Restraining Order filed by Darrel Cummings. Objections to R&R due by 4/22/2013 Signed by Magistrate Judge Patrick A. White on 4/5/2013. (tw) (Entered: 04/05/2013)
04/11/2013	<u>27</u>	 79.24KB	ANSWER and Affirmative Defenses to Complaint with Jury Demand by Jules Heller, M.D..(Kummerlen, Gregory) (Entered: 04/11/2013)









04/22/2013	28	 267.43KB	OBJECTIONS to 25 , 26 Report and Recommendations by Darrel Cummings. (cbr) (Entered: 04/23/2013)
04/25/2013	29	 125.45KB	OBJECTIONS to Magistrate 25 , 26 Report and Recommendations, Attachment Process Receipt and Return United States Marshall Service by Darrel Cummings. (ral) (Entered: 04/26/2013)
05/02/2013	30	 80.07KB	ANSWER and Affirmative Defenses to Complaint with Jury Demand by N. Finnisse.(Kummerlen, Gregory) (Entered: 05/02/2013)
05/09/2013	31	 1.03MB	RENEWED MOTION for Preliminary Injunction by Darrel Cummings. (asl) (Entered: 05/09/2013)
05/09/2013	32	 87.98KB	SUMMONS (Affidavit) Returned Executed on 21 Amended Complaint with a 14 day response/answer filing deadline pursuant to Fed. R. Civ. P. 15 N. Finnisse served on 4/26/2013, answer due 5/10/2013. (asl) (Entered: 05/09/2013)
05/10/2013	33	 140.23KB	OMNIBUS ORDER Adopting and Approving Reports of Magistrate Judge and Overruling Objections; denying 17 Motion for Preliminary Injunction; denying 22 Motion for Preliminary Injunction; denying 22 Motion for Temporary Restraining Order; adopting 25 Report and Recommendations; adopting Report and Recommendations re 26 Report and Recommendations. Certificate of Appealability: No Ruling. Referring 31 to Magistrate Judge White. Signed by Judge William P. Dimitrouleas on 5/10/2013. (asl) (Entered: 05/10/2013)
05/10/2013	34	 0.53MB	RENEWED MOTION for Preliminary Injunction by Darrel Cummings. (asl) (Entered: 05/10/2013)
06/03/2013	35	 89.71KB	Summons (Affidavit) Returned Unexecuted as to J. Duaphin, D.O. (asl) (Entered: 06/04/2013)
06/06/2013	36	 71.42KB	MOTION to Furnish Defendant's Update Addresses (Responses due by 6/24/2013) by Darrel Cummings. (asl) (Entered: 06/06/2013)
06/17/2013	37	 86.99KB	SECOND MOTION to Furnish Defendant's Updated Addresses by Darrel Cummings. (Address Updated) (yar) (Entered: 06/17/2013)
06/25/2013	38		ORDER granting 36 Motion ; granting 36 Motion to Appoint Special Process Server, granting motion to furnish defendants address, service will be ordered by separate order ; denying 37 Motion to update address, a former attorney and former employer are not proper persons to accept service. Signed by Magistrate Judge Patrick A. White on 6/25/2013. (cz) (Entered: 06/25/2013)
06/25/2013	39	 16.70KB	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 34 MOTION for Preliminary Injunction filed by Darrel Cummings, 31 MOTION for Preliminary Injunction filed by Darrel Cummings. Recommending that the motions for preliminary injunction be dismissed without prejudice as premature(DE#31 & 34). Objections to R&R due by 7/12/2013 Signed by Magistrate Judge Patrick A. White on 6/25/2013. (tw) (Entered: 06/25/2013)










06/25/2013	40	 0.58MB	RENEWED MOTION for Preliminary Injunction by Darrel Cummings. (yar) (Entered: 06/25/2013)
06/26/2013	41		ORDER denying 40 Motion for Preliminary Injunction, this motion was filed on June 25, 2013, and a Report and Recommendation on the plaintiff's motions for TRO was entered on June 25, 2013. Signed by Magistrate Judge Patrick A. White on 6/26/2013. (cz) (Entered: 06/26/2013)
06/28/2013	42	 10.36KB	(VACATED by DE# 46.)ORDER that the United States Marshal shall serve a copy of the complaint and appropriate summons upon:Dr. Jean R. Dauphin, 512 West Oakland Park Boulevard, Fort Lauderdale, FL 33311 and Officer McIntire, Correctional Officer, South Bay Correctional Facility, 600 U.S. Highway 27, South Bay, FL 33493. Signed by Magistrate Judge Patrick A. White on 6/28/2013. (tw) Modified to reflect "vacated" on 7/16/2013 (wc). (Entered: 06/28/2013)
07/03/2013	43	 76.63KB	Summons Issued as to J. Duaphin, D.O.. (br) (Entered: 07/03/2013)
07/03/2013	44	 77.96KB	Summons Issued as to McIntire. (br) (Entered: 07/03/2013)
07/11/2013	45	 1.31MB	OBJECTION to the Magistrate's 39 Report and Recommendations by Darrel Cummings. (yar) (Main Document 45 replaced with complete image on 8/1/2013) (ail). (Entered: 07/11/2013)
07/15/2013	46		*Endorsed OrderReview of the Court's docket reveals that service upon Dr. Jean Dauphin wasreturned to the Court as unexecuted, and the Marshal noted that this defendant never worked at that address provided. THE PLAINTIFF MUST PROVIDE THE COURT WITH AN UPDATED CURRENT ADDRESS FOR THIS DEFENDANT OR DEFENDANT DAUPHIN WILL BE DISMISSED FROM THIS CASE.ORDER DE42 REQUIRING THE MARSHAL TO FILE A RETURN FOR THIS DEFENDANT IS VACATED. Signed by Magistrate Judge Patrick A. White on 7/15/2013. (cz) (Entered: 07/15/2013)
07/18/2013	47	 196.92KB	Summons (Affidavit) Returned Unexecuted as to Dr. J. Dauphin, D.O.. (yar) (Entered: 07/18/2013)
07/19/2013	48	 2.01MB	MOTION for Leave to File an Amended Complaint by Darrel Cummings. (Attachments: # 1 Exhibit - Second Amended Civil Rights Complaint)(yar) (Entered: 07/19/2013)
08/01/2013	49	 185.50KB	MOTION to Extend the Time For Service of Process by Darrel Cummings. Responses due by 8/19/2013 (yar) (Entered: 08/01/2013)
08/05/2013	50		ORDER granting 49 Motion for Extension of Time TO FIND PROPER ADDRESS FOR DEFENDANT DAUPHIN FOR 60 DAYS. NO FURTHER EXTENSIONS WILL BE GRANTE.D Signed by Magistrate Judge Patrick A. White on 8/5/2013. (cz) (Entered: 08/05/2013)
08/21/2013	51	 92.72KB	OMNIBUS ORDER ADOPTING AND APPROVING REPORT OF MAGISTRATE JUDGE AND OVERRULING OBJECTIONS; denying 34











			Motion for Preliminary Injunction; Adopting And Approving 39 Report and Recommendations. Certificate of Appealability: No Ruling; denying 31 Motion for Preliminary Injunction. Plaintiff's Objection [DE 45] is hereby OVERRULED. Signed by Judge William P. Dimitrouleas on 08/20/2013. (yar) (Entered: 08/21/2013)
08/26/2013	52	 231.20KB	MOTION to Direct the U.S. Marshal to Effectuate Service Upon Defendant Dauphin by Darrel Cummings. Responses due by 9/12/2013 (yar) (Entered: 08/26/2013)
09/04/2013	53	 51.50KB	NOTICE of Inquiry by Darrel Cummings (yar) (Entered: 09/04/2013)
09/04/2013	54	 93.40KB	SUMMONS (Affidavit) Returned Executed on 21 Amended Complaint with a 14 day response/answer filing deadline pursuant to Fed. R. Civ. P. 15 McIntire served on 9/3/2013, answer due 9/17/2013. (yar) (Entered: 09/04/2013)
09/11/2013	55	 364.10KB	MOTION for Reconsideration re 51 Order Adopting Report and Recommendations,, Order on Motion for Preliminary Injunction,,,, by Darrel Cummings. (yar) (Entered: 09/11/2013)
09/11/2013	56	 150.11KB	MOTION to certify an interlocutory appeal pursuant to 28 U.S.C. 1292(a)(b) re 51 Order Adopting Report and Recommendations,, Order on Motion for Preliminary Injunction,,,, by Darrel Cummings. (hh) (Entered: 09/12/2013)
09/16/2013	57	 85.41KB	ANSWER and Affirmative Defenses to Amended Complaint with Jury Demand by McIntire. Attorney Gregory A. Kummerlen added to party McIntire(pty:dft). (Kummerlen, Gregory) (Entered: 09/16/2013)
09/16/2013	58	 160.78KB	ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION AND MOTION TO CERTIFY INTOLOCUTORY APPEAL; denying 55 Motion for Reconsideration ; denying 56 Motion to Certify an Inteterlocutory Appeal Pursuant to 28 U.S.C.1292(a)(b). Signed by Judge William P. Dimitrouleas on 09/16/2013. (yar) (Entered: 09/17/2013)
09/19/2013	59	 264.82KB	Plaintiff's Third MOTION to Furnish Defendant's Updated Addresses by Darrel Cummings. (yar) (Entered: 09/19/2013)
09/20/2013	60		ORDER granting 52 Motion to Appoint Special Process Server. ; granting 59 Motion to furnish defendantsw updated address in par, Defendant McIntire has been successfully served. Service will be ordered upon Dr. Dauphin at the updated address by separate order. Signed by Magistrate Judge Patrick A. White on 9/20/2013. (cz) (Entered: 09/20/2013)
09/23/2013	61	 128.90KB	Discovery and Request For Production of Documents by Darrel Cummings. (yar) (Entered: 09/23/2013)
09/24/2013	62	 10.32KB	ORDER that the United States Marshal shall serve a copy of the complaint and appropriate summons upon:Dr. Jean Dauphin, Dade County Jail, 1321 N.W. 13th Street, Miami, FL 33125. Signed by Magistrate Judge Patrick A. White on 9/24/2013. (tw) (Entered: 09/24/2013)







09/25/2013	63	 51.18KB	Summons Issued as to J. Dauphin, D.O.. (yar) (Entered: 09/25/2013)
09/26/2013	64	 20.92KB	REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 48 MOTION for Leave to File filed by Darrel Cummings, 61 MOTION to Produce filed by Darrel Cummings. Recommending 1. It is therefore recommended that the motion to file a second amended complaint (DE#48) be granted, and a claim of denial of medical treatment continue against Dr. L.King. 2. She will be served by separate order, upon the notification to the Court of her current address. 3. The motion for the address of Dr. King (DE#61) should be denied. Objections to R&R due by 10/15/2013 Signed by Magistrate Judge Patrick A. White on 9/26/2013. (tw) (Entered: 09/26/2013)
10/24/2013	65	 167.98KB	MOTION Requesting Limited Discovery by Darrel Cummings. Responses due by 11/12/2013.(yar) (Entered: 10/24/2013)
10/28/2013	66		ORDER denying 65 Motion for Discovery. Signed by Magistrate Judge Patrick A. White on 10/28/2013. (cz) (Entered: 10/28/2013)
10/31/2013	67	 89.09KB	ORDER ADOPTING REPORT OF MAGISTRATE JUDGE; granting 48 Motion for Leave to File ; denying 61 Motion to Produce; Adopting and Approving 64 Report and Recommendations. Certificate of Appealability: No Ruling.The Plaintiff shall separately file the amended complaint [DE 48-1] on the docket. Signed by Judge William P. Dimitrouleas on 10/30/2013. (yar) (Entered: 10/31/2013)
11/12/2013	68	 159.64KB	MOTION for Reconsideration of Magistrate Judge's Report re 64 REPORT AND RECOMMENDATIONS on 42 USC 1983 case by Darrel Cummings. (yar) Modified text/docket entry relationship on 11/12/2013 (yar). (Entered: 11/12/2013)
11/25/2013	69	 51.15KB	NOTICE of Inquiry by Darrel Cummings (Docket Sheet Mailed) (yar) (Entered: 11/25/2013)
12/03/2013	70	 62.55KB	NOTICE of Compliance by Darrel Cummings re 67 Order Adopting Report and Recommendations, Order on Motion for Leave to File, Order on Motion to Produce (asl) (Entered: 12/03/2013)
12/03/2013	71	 1.68MB	SECOND AMENDED COMPLAINT against J. Dauphin, D.O., N. Finnisse, Jules Heller, M.D., McIntire, New England Compounding Center, L. King filed in response to Order Granting Motion for Leave, filed by Darrel Cummings.(asl) (Entered: 12/03/2013)
12/05/2013	72	 91.57KB	MOTION to Furnish Defendant Dr. Loretha King's Updated Address by Darrel Cummings. (yar) (Entered: 12/05/2013)
12/09/2013	73		ORDER granting 72 Motion to attempt service at the address provided for defendant King.. Signed by Magistrate Judge Patrick A. White on 12/9/2013. (cz) (Entered: 12/09/2013)
12/12/2013	74	 10.29KB	ORDER that the United States Marshal shall serve a copy of the complaint and appropriate summons upon:Dr. Loretha King, GEO Care Corporate, 1583



			Common Street, #213, New Braunfels, TX 78130. Signed by Magistrate Judge Patrick A. White on 12/11/2013. (tw) (Entered: 12/12/2013)
12/12/2013	75	 76.55KB	Summons Issued as to L. King. (br) (Entered: 12/12/2013)
12/18/2013	76	 170.67KB	ANSWER and Affirmative Defenses to Amended Complaint with Jury Demand by J. Dauphin, D.O., N. Finnisse, Jules Heller, M.D., McIntire. Attorney Gregory A. Kummerlen added to party J. Dauphin, D.O.(pty:dft). (Kummerlen, Gregory) (Entered: 12/18/2013)
12/18/2013	77	 108.34KB	SUMMONS (Affidavit) Returned Executed on 71 Amended Complaint with a 14 day response/answer filing deadline pursuant to Fed. R. Civ. P. 15 served on 12/17/2013, answer due 12/31/2013. (gp) (Entered: 12/19/2013)
02/11/2014	78	 7.97KB	ORDER SECOND AMENDED COMPLAINT. 1. The second amended complaint is now the operative complaint. 2. No further amendments shall be permitted. 3. A Separate pre-trial statement shall be entered. Signed by Magistrate Judge Patrick A. White on 2/11/2014. (tw) (Entered: 02/11/2014)
02/18/2014	79	 10.97KB	SCHEDULING ORDER: Amended Pleadings due by 6/18/2014. Discovery due by 6/4/2014. Joinder of Parties due by 6/18/2014. Motions due by 7/8/2014. Signed by Magistrate Judge Patrick A. White on 2/14/2014. (tw) (Entered: 02/18/2014)
02/28/2014	80	 55.54KB	NOTICE of Inquiry directed to the U.S. Marshal Service regarding service of process as to defendant Dr. Loretha King by Darrel Cummings (ls) (Entered: 03/03/2014)
03/11/2014	81	 308.25KB	Plaintiff's First Request For Production of Documents by Darrel Cummings. (yar) (Entered: 03/12/2014)
03/12/2014	82	 93.65KB	Summons (Affidavit) Returned Unexecuted as to Dr. L. King. (yar) (Entered: 03/13/2014)
03/13/2014	83		ORDER denying 81 Motion to Produce. All discovery requests should be sent directly to the defendants. Signed by Magistrate Judge Patrick A. White on 3/13/2014. (cz) (Entered: 03/13/2014)
03/20/2014	84	 301.20KB	NOTICE of Filing Discovery: Plaintiff's First Request For Interrogatories And Production of Documents From Defendant Dauphin by Darrel Cummings.(yar) (Entered: 03/20/2014)
03/20/2014	85	 336.89KB	NOTICE of Filing Discovery: Plaintiff's First Request For Interrogatories and Production of Documents From Defendant Finisse by Darrel Cummings.(yar) (Entered: 03/20/2014)
03/20/2014	86	 299.24KB	NOTICE of Filing Discovery: Plaintiff's First Request For Interrogatories and Production of Documents From Defendant McIntire by Darrel Cummings.(yar) (Entered: 03/20/2014)
03/20/2014	87	 342.32KB	NOTICE of Filing Discovery: Plaintiff's First Request For Interrogatories and Production of Documents From Defendant Heller by Darrel Cummings.(yar)

			(Entered: 03/20/2014)
03/20/2014	88	 283.50KB	MOTION to Remove And/Or Transfer Defendant(s) CEO, New England Compunding Center to the Multi-District Litigation Court in the District of Massachusetts by Darrel Cummings. (yar) (Entered: 03/20/2014)
03/20/2014	89	 341.38KB	NOTICE of Filing Discovery: Plaintiff's First Request For Interrogatories and Productions of Documents From Defendant King by Darrel Cummings.(yar) (Entered: 03/20/2014)
03/27/2014	90	 0.99MB	MOTION for Preliminary Injunction, MOTION for Temporary Restraining Order (Responses due by 4/14/2014) by Darrel Cummings. (yar) (Entered: 03/27/2014)
04/01/2014	91	 273.57KB	MOTION to Strike 87 Notice of Filing Discovery <i>Interrogatories</i> by Jules Heller, M.D.. Responses due by 4/18/2014 (Attachments: # 1 Exhibit A -)Plaintiff's Interrogatories)(Kummerlen, Gregory) (Entered: 04/01/2014)
04/01/2014	92		ORDER respectfully deferring ruling on 88 Motion to transfer case to another court to United States District Judge. Signed by Magistrate Judge Patrick A. White on 4/1/2014. (cz) (Entered: 04/01/2014)
04/03/2014	93		ORDER denying 91 Motion to Strike plaintiff's interrogatories. The plaintiff is not permitted to take depositions and therefore a little leeway is permitted for discovery requests. Signed by Magistrate Judge Patrick A. White on 4/3/2014. (cz) (Entered: 04/03/2014)
04/03/2014	94	 72.02KB	ORDER denying as moot 68 Motion for Reconsideration re 64 REPORT AND RECOMMENDATIONS on 42 USC 1983 case re 48 MOTION for Leave to File filed by Darrel Cummings, 61 MOTION to Produce filed by Darrel Cummings. Signed by Judge William P. Dimitrouleas on 4/3/2014. (ls) (Entered: 04/03/2014)
04/07/2014	95	 46.38KB	MOTION for Extension of Time to File Response/Reply to <i>Plaintiff's First Request for Production of Documents</i> by J. Dauphin, D.O., N. Finnisse, Jules Heller, M.D., McIntire. (Kummerlen, Gregory) (Entered: 04/07/2014)
04/07/2014	96	 19.77KB	REPORT AND RECOMMENDATIONS re 90 MOTION for Preliminary Injunction MOTION for Temporary Restraining Order filed by Darrel Cummings. Recommending denying. Objections to R&R due by 4/24/2014 Signed by Magistrate Judge Patrick A. White on 4/7/2014. (tw) (Entered: 04/07/2014)
04/08/2014	97		ORDER granting 95 Motion for Extension of Time to File Response/Reply re 95 MOTION for Extension of Time to File Response/Reply to <i>Plaintiff's First Request for Production of Documents</i> . Responses due by 4/17/2014 Re: 95 MOTION for Extension of Time to File Response/Reply to <i>Plaintiff's First Request for Production of Documents</i> . Signed by Magistrate Judge Patrick A. White on 4/8/2014. (cz) (Entered: 04/08/2014)
04/10/2014	98	 137.45KB	RESPONSE in Opposition re 91 MOTION to Strike 87 Notice of Filing Discovery <i>Interrogatories</i> filed by Darrel Cummings. (cbr) (Entered: 04/10/2014)

			04/10/2014)
04/10/2014	99	 51.12KB	MOTION for Extension of Time to Complete Discovery by J. Dauphin, D.O., N. Finnisse, Jules Heller, M.D., McIntire. (Kummerlen, Gregory) (Entered: 04/10/2014)
04/15/2014	100	 101.49KB	NOTICE of INQUIRY by Darrel Cummings (gp) (Entered: 04/15/2014)
04/15/2014	101	 46.92KB	Second MOTION for Extension of Time to Complete Discovery <i>First Request for Production</i> by J. Dauphin, D.O., N. Finnisse, Jules Heller, M.D., McIntire. (Kummerlen, Gregory) (Entered: 04/15/2014)
04/15/2014	102	 51.42KB	Second MOTION for Extension of Time to Complete Discovery <i>Plaintiff's First Request for Interrogatories and Production of Documents</i> by J. Dauphin, D.O., N. Finnisse, Jules Heller, M.D., McIntire. (Kummerlen, Gregory) (Entered: 04/15/2014)
04/22/2014	106	 109.77KB	MOTION/REQUEST for Volunteer Counsel by Darrel Cummings. Responses due by 5/12/2014 (gp) -Modified file date on 4/23/2014 (gp)-. (Entered: 04/23/2014)
04/22/2014	107	 337.50KB	OBJECTIONS to 96 Report and Recommendations re 90 MOTION for Preliminary Injunction MOTION for Temporary Restraining Order by Darrel Cummings. (gp) (Entered: 04/23/2014)
04/22/2014	108	 337.50KB	DUPLICATE OBJECTIONS to 96 Report and Recommendations by Darrel Cummings. (ail) (Duplicate of 107) on 4/23/2014 (ail). (Entered: 04/23/2014)
04/23/2014	103		ORDER granting 99 Motion for Extension of Time to Complete Discovery. The defendants shall file on or before April 25, 2014, their response and/or objections to the Plaintiff's First Request for Interrogatories and Production of Documents. Signed by Magistrate Judge Patrick A. White on 4/23/2014. (dc) (Entered: 04/23/2014)
04/23/2014	104		ORDER denying as moot 101 Motion for Extension of Time to Complete Discovery. The motion has been granted. See DE# 103. Signed by Magistrate Judge Patrick A. White on 4/23/2014. (dc) (Entered: 04/23/2014)
04/23/2014	105		ORDER denying as moot 102 Motion for Extension of Time to Complete Discovery. The motion has been granted. See DE# 103. Signed by Magistrate Judge Patrick A. White on 4/23/2014. (dc) (Entered: 04/23/2014)
04/24/2014	109	 117.21KB	ORDER Adopting Report of Magistrate Judge; denying 90 Motion for Preliminary Injunction; denying 90 Motion for Temporary Restraining Order; adopting 96 Report and Recommendations. Certificate of Appealability: No Ruling. Signed by Judge William P. Dimitrouleas on 4/24/2014. (asl) (Entered: 04/24/2014)
04/28/2014	110	 10.35KB	ORDER denying 106 Motion to Appoint Counsel. Signed by Magistrate Judge Patrick A. White on 4/28/2014. (tw) (Entered: 04/28/2014)

04/29/2014	111	 111.41KB	MOTION to Effectuate Service on Defendant King at New Address Disclosed to the U.S. Marshal Service by Darrel Cummings. Responses due by 5/16/2014 (ail) (Entered: 04/30/2014)
04/29/2014	112	 45.17KB	Clerks Notice to Filer re: Summons cannot be issued. The party on the summons does not match the initiating documents. (ail) Notice Attached and mailed to Plaintiff 4/30/2014 (ail). (Entered: 04/30/2014)
05/05/2014	113	 8.99KB	ORDER granting 111 Motion to Appoint Special Process Server. Signed by Magistrate Judge Patrick A. White on 5/5/2014. (tw) (Entered: 05/05/2014)
05/09/2014	114	 80.62KB	Summons Issued as to Dr. L. King. (yar) (Entered: 05/12/2014)
05/12/2014	115	 297.93KB	MOTION to Strike Defendant Finisse's Interrogatories Dated April 25,2014 by Darrel Cummings. Responses due by 5/30/2014 (yar) (Entered: 05/13/2014)
05/13/2014	116	 126.22KB	Plaintiff's MOTION to Dismiss Defendant Dauphin's Objections to Interrogatories and Production of Documents by Darrel Cummings. (yar) (Entered: 05/14/2014)
05/19/2014	117	 22.94KB	ORDER granting 115 Motion to Strike ; deferring ruling on 116 Motion to Compel. Signed by Magistrate Judge Patrick A. White on 5/16/2014. (tw) (Entered: 05/19/2014)
05/21/2014	118	 337.37KB	Defendant's MOTION to Strike <i>Subpoenas Directed to Correctional Sergeant Scott</i> by N. Finnisse, Jules Heller, M.D., McIntire. Responses due by 6/9/2014 (Attachments: # 1 Exhibit A - Subpoenas and Written Deposition Questions and Production of Documents)(Kummerlen, Gregory) (Entered: 05/21/2014)
05/22/2014	119		PAPERLESS ORDER granting 118 Defendant's Motion to Strike Plaintiff's Subpoenas directed to Correctional Sergeant Scott. Plaintiff is hereby granted leave to correct the deficiency by serving a copy of the subpoenas upon counsel for the Defendants after which Sergeant Scott shall timely respond to the subpoenas. Signed by Magistrate Judge Patrick A. White on 5/22/2014. (dc) (Entered: 05/22/2014)
05/30/2014	120	 0.58MB	MOTION to Strike <i>Plaintiff's Subpoena Directed to Dr. Lins</i> by N. Finnisse, Jules Heller, M.D., McIntire. Responses due by 6/16/2014 (Attachments: # 1 Exhibit Subpoena)(Kummerlen, Gregory) (Entered: 05/30/2014)
06/02/2014	121		ORDER granting 120 Defendants' Motion to Strike Plaintiff's Subpoenas Directed to Dr. Robert Lins to the extent that the Plaintiff is denied leave to depose Witness Dr. Lins for the same reasons expressed in this Court's earlier order entered on May 16, 2014, at paragraph 3 (DE# 117). Signed by Magistrate Judge Patrick A. White on 6/2/2014. (dc) (Entered: 06/02/2014)
06/04/2014	122	 27.66KB	NOTICE of Compliance by J. Dauphin, D.O. re 117 Order on Motion to Strike, Order on Motion for Miscellaneous Relief (Kummerlen, Gregory) (Entered: 06/04/2014)

06/04/2014	123	 27.60KB	NOTICE of Compliance by N. Finnisse re 117 Order on Motion to Strike, Order on Motion for Miscellaneous Relief (Kummerlen, Gregory) (Entered: 06/04/2014)
06/05/2014	124		PAPERLESS ORDER denying as moot 116 Plaintiff's Motion to Dismiss Defendant Dauphin's Objections to Interrogatories and Production of Documents. Defendant Dr. Dauphin has now served his Answers to Plaintiff's Interrogatories. See DE# 122. Signed by Magistrate Judge Patrick A. White on 6/5/2014. (dc) (Entered: 06/05/2014)
06/05/2014	125		ORDER dismissing 88 Motion remove or transfer CEO New England Coumpuding Center to Multi Disrict Litigation Court in the Disrict Of Mass., without prejudice to refile if necessaary. Signed by Magistrate Judge Patrick A. White on 6/5/2014. (cz) (Entered: 06/05/2014)
06/13/2014	126	 4.05MB	MOTION to Compel <i>to Provide Better Answers to Interrogatories and Produce Documents</i> by Darrel Cummings. Responses due by 6/30/2014 (ail) (Entered: 06/16/2014)
06/17/2014	127	 1.89MB	MOTION to Modify Procedure to Allow Deponents to Provide Written Answers to the Written Deposition Questions by Darrel Cummings. (yar) (Entered: 06/19/2014)
06/20/2014	128	 99.31KB	Summons (Affidavit) Returned Unexecuted as to Dr. L. King. (yar) (Entered: 06/23/2014)
06/26/2014	129	 107.29KB	MOTION for Extension of Time to Effectuate Service on Defendant King at New Address Disclosed to the U.S. Marshal Service by Darrel Cummings. Responses due by 7/14/2014 (ls) (Entered: 06/26/2014)
06/27/2014	130	 117.18KB	MOTION for Extension of Time to Join Additional Parties and Amend the Pleadings by Darrel Cummings. Responses due by 7/14/2014 (jua) (Entered: 06/27/2014)
06/30/2014	131		ORDER deferring ruling on 126 Motion to Compel until this Court has had an opportunity to review a response from the defendants. The defendants shall file their response on or before July 14, 2014, to plaintiff's motion. Signed by Magistrate Judge Patrick A. White on 6/30/2014. (dc) (Entered: 06/30/2014)
06/30/2014	132		ORDER deferring ruling on 127 Plaintiff's Motion to Modify Procedure to Allow Deponents to Provide Written Answers to Written Deposition Questions until this Court has had an opportunity to review a response from the defendants. The defendants shall file their response on or before July 14, 2014, to plaintiff's motion. Signed by Magistrate Judge Patrick A. White on 6/30/2014. (dc) (Entered: 06/30/2014)
06/30/2014	133		ORDER deferring ruling on 130 Plaintiff's Motion for Extension of Time to Join Additional Parties and Amend the Pleadings until this Court has had an opportunity to review a response from the defendants. The defendants shall file their response on or before July 14, 2014, to plaintiff's motion. Signed by Magistrate Judge Patrick A. White on 6/30/2014. (dc) (Entered: 06/30/2014)

06/30/2014	134	 0.53MB	RESPONSE to Motion re 130 MOTION for Extension of Time to Join Additional Parties and Amend the Pleadings filed by J. Dauphin, D.O., N. Finnisse, Jules Heller, M.D., McIntire. Replies due by 7/10/2014. (Kummerlen, Gregory) (Entered: 06/30/2014)
06/30/2014			Reset Deadlines as to 126 MOTION to Compel <i>to Provide Better Answers to Interrogatories and Produce Documents</i> . Responses due by 7/14/2014 (ls)(per DE #131) (Entered: 07/01/2014)
07/01/2014	135		PAPERLESS ORDER granting 130 Plaintiff's Motion for Extension of Time to join additional parties and amend the pleadings solely to the extent that the Plaintiff may on or before July 15, 2014, file a motion for leave to file an Amended Complaint, attaching the proposed Amended Complaint. After reivew of any proposed pleading, the dates listed in the pretrial scheduling order will be extended, if necessary. Amended Pleadings due by 7/15/2014. Signed by Magistrate Judge Patrick A. White on 7/1/2014. (dc) (Entered: 07/01/2014)
07/02/2014	136	 52.43KB	MOTION for Extension of Time to File Motion for Summary Judgment by J. Dauphin, D.O., N. Finnisse, Jules Heller, M.D., McIntire. Responses due by 7/21/2014 (Kummerlen, Gregory) (Entered: 07/02/2014)
07/02/2014	137		PAPARLESS ORDER granting 136 Defendants' Motion for Extension of Time to file their Motion for Summary Judgment. The defendants' motion for summary judgment shall be filed on or before July 18, 2014. Dispositive Motions due by 7/18/2014. Signed by Magistrate Judge Patrick A. White on 7/2/2014. (dc) (Entered: 07/02/2014)

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